

Attorney Docket No. 3523 P 002

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Wilhelm Schwaeble and Robert Braidwood Sim)

Application No.: 09/316,163)

Filed: June 18, 2001 (CPA filing date))

Entitled: COMPLEMENT INHIBITOR)

) Examiner: Marianne DeBrino, Ph.D

) Group Art Unit: 1644

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner mailed July 23, 2004, rejecting Claims 2, 17-19, 22, 23, 26, 30-32 and 36.

This application is on behalf of:

___ other than a small entity.

X a small entity.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. A Petition for a Three Month Extension of Time, together with a check in the amount of \$510.00 for the extension fee, are submitted herewith to extend the period for reply to January 23, 2005.

Pursuant to 37 C.F.R. § 1.17(e), the \$250.00 fee for filing the Notice of Appeal is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280.

A duplicate copy of this Transmittal is attached.

X Any additional extension and/or fee.

X Any additional fee for claims.


The Commissioner is hereby authorized to charge any deficiency in fees to Deposit Account No. 23-0280.

Respectfully submitted,


Date: January 21, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with first class postage prepaid in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 21, 2005.


Natha Conerly 217409v1

By:


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